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F.#2011R00633

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U.S. DISTRICT COURT E.D.N.Y.
★ MAR 21 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

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UNITED STATES OF AMERICA

S U P E R S E D I N G
I N D I C T M E N T

- against -

Cr. No. 11-345 (S-3) (SLT)
(T. 21, U.S.C.,
§§ 841(a)(1),
841(b)(1)(A)(ii)(II),
841(b)(1)(A)(vii), 846,
853(a) and 853(p);
T. 18, U.S.C.,
§§ 2 and 3551 et seq.)

✓ AFRIM KUPA,
✓ LULZIM KUPA,
 also known as "Luzi,"
✓ KEITH LEVINE,
 also known as "Tutti,"
✓ NEIL LOMBARDO,
✓ NEZER PAPRANIKU,
 also known as
 "Nezir Papraniku" and
 "Ziti," and
✓ JOSEPH SCLAFANI,
 also known as "Joe Boy,"
ALBERT CRISCI,
JOSEPH IDA,
 also known as "Cakes" and
 "Joe Cakes,"
CARMEN MARTUCCI,
 also known as "Silverback" and
 "Blockhead,"

Defendants.

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THE GRAND JURY CHARGES:

COUNT ONE
(Conspiracy to Distribute Cocaine)

1. In or about and between January 2005 and January 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AFRIM KUPA, LULZIM KUPA, also known as "Luzi," NEIL LOMBARDO, NEZER PAPRANIKU, also known as "Nezir Papraniku" and "Ziti," JOSEPH

SCLAFANI, also known as "Joe Boy," ALBERT CRISCI, JOSEPH IDA, also known as "Cakes" and "Joe Cakes," and CARMEN MARTUCCI, also known as "Silverback" and "Blockhead," together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved five kilograms or more of a substance containing cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(ii)(II); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO
(Distribution of Cocaine)

2. In or about and between January 2005 and January 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants AFRIM KUPA, LULZIM KUPA, also known as "Luzi," NEIL LOMBARDO, NEZER PAPRANIKU, also known as "Nezir Papraniku" and "Ziti," JOSEPH SCLAFANI, also known as "Joe Boy," ALBERT CRISCI, JOSEPH IDA, also known as "Cakes" and "Joe Cakes," and CARMEN MARTUCCI, also known as "Silverback" and "Blockhead," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved five

kilograms or more of a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii)(II); Title 18, United States Code, Sections 2 and 3551 et seq.)

COUNT THREE
(Conspiracy to Distribute Marijuana)

3. In or about and between January 2008 and August 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants KEITH LEVINE, also known as "Tutti," and JOSEPH SCLAFANI, also known as "Joe Boy," together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved 1,000 or more marijuana plants, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846 and 841(b)(1)(A)(vii); Title 18, United States Code, Sections 3551 et seq.)

COUNT FOUR
(Distribution of Marijuana)

4. In or about and between January 2008 and August 2011, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants KEITH LEVINE, also known as "Tutti," and JOSEPH SCLAFANI, also known as

"Joe Boy," together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved 1,000 or more marijuana plants, a Schedule I controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(vii); Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

5. The United States hereby gives notice to the defendants charged in Counts One through Four that, upon conviction of any such offenses, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of any such offenses to forfeit any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as a result of such offenses, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of any such offenses.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

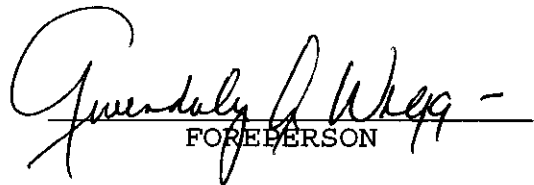
(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

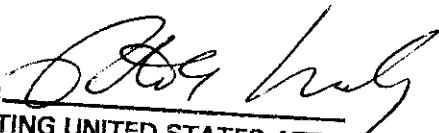
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

A TRUE BILL


FOREPERSON

LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 

ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136

No.

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

AFRIM KUPA, LULZIM KUPA, *also known as "Luzi,"* KEITH LEVINE, *also known as "Tuti,"*
NEIL LOMBARDO, NEZER PAPPANIKU, *also known as "Nezir Papaniku" and "Ziti,"*
JOSEPH SCLAFANI, *also known as "Joe Boy,"* Albert Crisci, Joseph Ida, *also known as "Joe Cakes" and "Cakes,"*
and Carmen Martucci, *also known as "Blockhead,"*

Defendants.

SUPERSEDING INDICTMENT

(T. 21, U.S.C., §§ 841(a)(1), 841(b)(1)(A)(ii)(II), 841(b)(1)(A)(vii),
846, 853(a) and 853(p); T. 18, §§ 2 and 3551 et seq.)

A true bill.

Foreman

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Rachel Nash, Assistant U.S. Attorney (718-254-6072)